



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

November 9, 2015

Jessi Scott  
611 Wilson St.  
Council Bluffs, IA 51503

Dear Child Care Provider,

This letter is in regards to the November 4, 2015 compliance check of your Level C1, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home.

The following areas were out of compliance at the time of my visit:

*When DHS field compliance arrived to the home on 11/4/15, the provider was not present and an unapproved substitute was caring for 7 or 8 children (DHS compliance struggled with counting kids coming into the home and leaving the home and the home was chaotic). The provider returned to the child development home with 4 additional children from school. The provider was overnumbers as she was caring for more children than 8.*

*A full compliance check was completed on this date and the provider remains out of compliance with many items from the last check.*

*DHS field compliance returned to the home on 11/5/15 after staffing the compliance check with supervisor, Anne Matthai to complete a safety plan. This over the nap time and the blinds were drawn and the car was in the drive. DHS field compliance knocked several times but no one came to the door.*

*DHS field compliance worker returned to the home around 8:15 AM on 11/6/15 to complete safety plan and measure the provider's space used for child care to ensure it meets DHS code. The provider was present but had 9 children in care and was leaving children with an unapproved substitute to take children to school. The provider reported this was the last day this would happen as she gave parents until the end of the week to find alternate daycare arrangements so she could come into compliance. The provider reported that when DHS arrived to the home the day before she was in the basement while the children slept. The daycare provider was informed she needed to be on the same floor with the children at all times in order to supervise them. The provider agreed to the safety plan and signed it. DHS compliance field staff left a copy of the safety plan with the provider. The provider has 302.6 square feet designated for child care. The provider must have 35 sq feet for each child (8) which means the provider needs 280 square feet. It should be noted the provider has a large dining room table that takes up the majority of the space in the room leaving children very little room to play. The provider does not have enough space to care for more than 8 children in her home.*

A copy of the safety plan and layout of the home (with measurements) is included with this letter.

☐ 441 IAC 110.4 Limit. Except as provided in subrule 110.4(3), no greater number of children shall be received for care at any one time than the number authorized on the registration certificate.

☐ 441 IAC 110.5(1)“a” The home shall have a nonpay, working land-line or mobile telephone with emergency numbers posted for police, fire, ambulance, and the poison information center. The number for each child’s parent, for a responsible person who can be reached when the parent cannot, and for the child’s physician shall be written on paper and readily accessible by the telephone. The home must prominently display all emergency information, and all travel vehicles must have a paper copy of emergency parent contact information.

*The provider does not have emergency contact information in vehicle used to transport children.*

☐ 441 IAC 110.5(1)“b” All medicines and poisonous, toxic, or otherwise unsafe materials shall be secured from access by a child.

*Medications are in reach of children and need to be locked up. The provider was non-compliant with this during December 30, 2013 compliance check.*

☐ 441 IAC 110.5(1)“c” A first-aid kit shall be available and easily accessible whenever children are in the child development home, in the outdoor play area, in vehicles used to transport children, and on field trips. The kit shall be sufficient to address first aid related to minor injury or trauma and shall be stored in an area inaccessible to children. The kit shall, at a minimum, include adhesive bandages, antiseptic cleaning materials, disposable tweezers, and disposable plastic gloves.

*The first aid needs to include disposable tweezers. The provider can locate these on line or contact local CCRR representative.*

☐ 441 IAC 110.5(1)“k” Fire and tornado drills shall be practiced monthly and the provider shall keep documentation evidencing compliance with monthly practice on file.

*The provider does not have in file. The provider was non-compliant with this during December 2013 compliance check.*

☐ 441 IAC 110.5(1)“n” The home shall have at least one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. Each smoke detector shall be installed according to manufacturer’s recommendations. The provider shall test each smoke detector monthly and keep a record of testing for inspection purposes.

*The provider does not check and document checking smoke detectors monthly. The provider was non-compliant with this during December 2013 check.*

☐ 441 IAC 110.5(1)“q” Providers shall inform parents of the presence of any pet in the home.

*The provider did not have vet exams on file for cat and dog. The provider can locate these forms on the CCRR website or by contacting local representative. The provider was not in compliance with this item during the December 2013 check.*

**(1)** Each dog or cat in the household shall undergo an annual health examination by a licensed veterinarian. Acceptable veterinary examinations shall be documented on Form 470-5153, Veterinary Health Certificate. This examination shall verify that the animal’s routine immunizations, particularly rabies, are current and that the animal shows no evidence of endoparasites (roundworms, hookworms, whipworms) and ectoparasites (fleas, mites, ticks, lice).

441 IAC 110.5(2) A provider file is maintained and contains:

441 IAC 110.5(2)“b” (1) Certificates or training verification and record check documentation.

During the second year of registration and each succeeding year, twelve hours of approved training. At least six hours shall be in a group setting.

*The provider has a Corrective Action Plan (CAP) for 10 hours from last registration period. The provider has to complete 34 hours during this registration period. The provider reported she has signed up for classes and is working on this.*

☐ 441 IAC 110.5(2)“c” An individual file is maintained for each staff assistant and contains:  
*The provider has no approved assistants attached to her registration. During December 2013 check, DHS field compliance worker noted the assistant had been denied. The provider reported she will return required paperwork for assistant to be approved by DHS central registration.*

**(1)** Documentation from the department confirming the record checks required under subrule 110.7(3) have been completed and authorizing or conditionally limiting the person’s involvement with child care

**(2)** A completed Form 470-5152, Child Care Provider Physical Examination Report. The examination shall include any necessary testing for communicable diseases; a discussion of recommended vaccinations; completed no more than six months prior to approval to assist or be a household member; completed by a licensed medical doctor, doctor of osteopathy, physician assistant or advanced registered nurse practitioner; and repeated at least every three years.

**(3)** Certification of two hours of approved training relating to identification and reporting of child abuse within 6 months of employment and repeated every 5 years.

☐ 441 IAC 110.5(2)“d” An individual file is maintained for each substitute and contains:  
*The provider has no approved substitutes attached to her registration. During December 2013 check, DHS field compliance worker noted the substitute had been denied. The provider reported she will return required paperwork for sub to be approved by DHS central registration.*

*The provider used an unapproved substitute on 11/4/15 and 11/6/15 when DHS compliance was in the home. The provider signed a safety plan on 11/6/15 stating she would not use unapproved subs and affirmed she understood that her Child Development Home Registration would be revoked.*

*The subs the provider wanted to use did not have any of the required information in the files.*

**(1)** Documentation from the department confirming the record checks required under 441 IAC 110.7(3) have been completed and authorizing or conditionally limiting the person’s involvement with child care.

**(2)** A completed Form 470-5152, Child Care Provider Physical Examination Report. The examination shall include any necessary testing for communicable diseases; a discussion of recommended vaccinations; completed no more than six months prior to approval to assist or

be a household member; completed by a licensed medical doctor, doctor of osteopathy, physician assistant or advanced registered nurse practitioner; and repeated at least every three years.

**(3)** Certification of two hours of approved training relating to identification and reporting of child abuse within 6 months of employment and repeated every 5 years.

**(4)** Certification in infant and child first aid that includes mouth-to-mouth resuscitation. If they are unable to locate first aid training that includes mouth-to-mouth resuscitation, they must complete both a first aid course and CPR.

☐ 441 IAC 110.5(3) Activity Program. There is an activity program and it promotes self-esteem and exploration.

*This writer did not note enough toys and activities for all children in care.*

a. Activity program includes active play.

b. Activity program includes quiet play.

c. Activity program includes activities for large muscle development, such as running, climbing and riding toys.

d. Activity program includes activities for small muscle development, such as coloring, puzzles, finger plays and play dough.

e. Play equipment and materials in a safe condition, for both indoor and outdoor activities which are developmentally appropriate for the ages and number of children present.

☐ 441 IAC 110.5(8) Children's Files. An individual file is maintained for each child and updated annually or when there are changes.

*The provider reported having 12 children enrolled. All forms in the files need to be updated yearly. One child was missing entire file.*

Each file contains:

☐ 441 IAC 110.5(8) "a". Identifying information including, at a minimum, the child's name, birth date, parent's name, address, telephone number, special needs of the child, and the parent's work address and telephone number.

*One child missing.*

☐ 441 IAC 110.5 (8) "b". Emergency information including, at a minimum, where the parent can be reached, the name, street address, city and telephone number of the child's regular source of health care, and the name, telephone number, and relationship to the child of another adult available in case of emergency.

*One child missing.*

☐ 441 IAC 110.5(8) "c". A signed medical consent from the parent authorizing emergency treatment.

*One child missing.*

☐ 441 IAC 110.5(8) “d”. An admission physical examination report signed by a licensed physician or designee in a clinic supervised by a licensed physician

(1) The date of the physical examination shall not be more than 12 months before the child’s first day of attendance at the child development home.

(2) The written report shall include past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary.

(3) For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physical examination report.

(4) The examination report or statement of health status shall be on file before the child’s first day of care.

*Four (4) children were missing.*

☐ 441 IAC 110.5(8) “e”. A statement of health condition signed by a physician or designee submitted annually from the date of the admission physical. For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physician statement.

*Six (6) children under school age was missing this in their file. One school age child was missing this form in their file.*

☐ 441 IAC 110.5(8) “h”. For each school-age child, on the first day of attendance, documentation of a physical examination that was completed at the time of school enrollment or since.

One child was missing.

☐ 441 IAC 110.5(8) “g”. A signed and dated immunization certificate provided by the state department of public health. For the school-age child, a copy of the most recent immunization record shall be acceptable.

*Three (3) children were missing this from their file.*

☐ 441 IAC 110.5(8) “f”. A list signed by the parent which names persons authorized to pick up the child. The authorization shall include the name, telephone number, and relationship of the authorized person to the child.

*One child was missing.*

☐ 441 IAC 110.5(8) “i”. Written permission from the parent for the child to attend activities away from the child development home. The permission shall include:

(1) Times of departure and arrival.

(2) Destination.

(3) Persons who will be responsible for the child

*One child was missing.*

☐ 441 IAC 110.5(9) The provider shall meets the following requirements:

*The provider was not present when DHS arrived to the home. The provider left the children on at least two occasions with an unapproved substitute. The provider is not capable of handling emergencies if she is not present. She is not providing consistent and dependable care if she is not present. The provider needs to remain on the same level as the children during nap times to ensure supervision and safety.*

- a. Gives careful supervision at all times.
- b. Exchange information with the parent of each child frequently to enhance the quality of care.
- c. Give consistent, dependable care and be capable of handling emergencies
- d. Be present at all times except when emergencies occur or an absence is planned, at which time care shall be provided by a department-approved substitute. When an absence is planned, the provider shall give parents at least 24 hours' prior notice.

☐ 441 IAC 110.5(10) Substitutes. The provider shall assume responsibility for providing adequate and appropriate supervision at all times when children are in attendance. Any designated substitute shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision shall be with the provider.

*The provider was using unapproved substitutes.*

- a. All standards regarding supervision and care of children apply to substitutes.
- b. Except in emergency situations, the provider must inform parents in advance of the planned use of a substitute.
- c. The substitute must be 18 years of age or older.
- d. Use of a substitute is limited to: No more than 25 hours per month. An additional period of up to two weeks in a 12-month period. (These limitations do not apply per Iowa Code Section 237A.3A(3)(e) when the provider is engaged in jury duty or official duties related to provider's membership on state board, committee or policy-related body.)
- e. The provider maintains a written record of the number of hours substitute care is provided, including the date and the name of the substitute.

**441 IAC 110.9(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "B"**

*The provider was over numbers on 11/4/15 and 11/6/15. The provider signed a safety plan stating she would not be overnumbers again and affirmed she understood that her Child Development Home Registration would be revoked if she is overnumbers in the future.*

☐ 441 IAC 110.9(1)"a" No more than six children not attending kindergarten or a higher grade level shall be present at any one time

☐ 441 IAC 110.9(1)"b" Of these six children, not more than four children who are 24 months of age or younger shall be present at any one time. Of these four children, no more than three may be 18 months of age or younger.

☐ 441 IAC 110.9(1)"c" In addition to the six children not in school, no more than four children who attend school may be present

☐ 441 IAC 110.9(1)"d" In addition to these ten children, no more than two children who are receiving care on a part-time basis may be present.

☐ 441 IAC 110.9(1)"e" No more than 12 children shall be present at any one time when an emergency school closing is in effect.

- ☐ 44 1 IAC 110.9(1)“f” If more than eight children are present at any one time for a period of more than two hours, the provider shall be assisted by a department-approved assistant who is at least 14 years old

**Suggestions for Improvement:**

**DHS field compliance worker strongly encourages the provider to maintain contact with CCRR representative. It is recommended the provider have CCRR to the home to review Checklist for Child Development Home Registration and to review changes to policy and rules. DHS field compliance expects the provider to be up to date with changes in policy and rules for Registered Child Development homes.**

Non-compliance with any of the mandated regulatory requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. **Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations.**

☒ Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home. **DHS compliance worker will be dropping into the home to verify provider is following the safety plan. A compliance recheck will occur on or after December 16, 2015. Failure to be in compliance will result in revocation of Child Development home registration.**

Please do not hesitate to contact me at DHS at (712) 328 – 5713 or [mnoddin@dhs.state.ia.us](mailto:mnoddin@dhs.state.ia.us) if you have any questions regarding this letter.

Sincerely,



Social Worker II



Social Work Supervisor

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 1-800-945-9778 .

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by

going to [http://www.dhs.state.ia.us/Consumers/Child\\_Care/Professional\\_Development.html](http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html) and you can sign up for training at <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).